REMARKS

Status of the Application

All of the pending claims 1-30 in the instant Application stand rejected.

35 U.S.C. § 101 Rejection

The Examiner has rejected claim 11 under 35 U.S.C. § 101 as allegedly being directed to

non-statutory subject matter. Specifically, the Examiner proffers that "all of the elements of the

apparatus claim could be implemented in software alone."

Applicant respectfully disagrees with the rejection. Specifically, independent claim 11

recites "[a] system for customizing a requested document for sending to a target device

comprising at least one hypertext markup language (HTML) element." Thus, even if each of the

"modules" recited in independent claim 11 could be considered to be implemented in software

alone, this recitation of a "system" provides the necessary structure to make independent claim

11 statutory under 35 U.S.C. § 101.

Thus, Applicant respectfully requests that the Examiner withdraw this rejection.

Obviousness Rejection

Claims 1-30 are rejected under 35 U.S.C. § 103(a) as being unpatentable over W3C's

"*Introduction to CSS2*," (http://www.w3.org/TR/REC-CSS2/intro.html#processing-model;

hereinafter "*Intro to CSS2*") in view of *Traughber et al.* (WO 98/14896; hereinafter

"*Traughber*"). This rejection is respectfully traversed.

Applicant respectfully submits that *Intro to CSS2* and *Traughber*, either alone or in

combination, fail to teach or suggest that the claimed feature of applying "at least one rule of the

style sheet to the DOM" is performed within a document server (Claim 1) or system (Claim 11),

where the style sheet rule is directed to a target device, as recited in independent claims 1 and 11.

Likewise *Intro to CSS2* and *Traughber* fail to teach or suggest an article of manufacture, as

recited in Claim 21, having similar features.

Specifically, while *Intro to CSS2* discloses that it utilizes style sheets, it specifies that the

style sheets are applied to a parsed source document at the client (*i.e., user or target) side*, rather

than at the recited server or system side. This configuration is similar to the deficient "relevant

technology" discussed on pages 1-5 of the instant Application. Therefore, it is respectfully

submitted that the *Intro to CSS2* system would suffer from the same problems as the "relevant

technology" described in the background section of the Application, *i.e.,* many "user agents"

(*i.e.,* web browsers) do not support style sheets. The Examiner seems to generally concede that

Applicant's reading of *Intro to CSS2* is correct, as he indicates that: (1) *Intro to CSS2* fails to

teach or suggest "that customizing a requested document is done on the server side" (*O.A.*, p. 3

and p. 6); and (2) therefore, *Intro to CSS2* "alone lacks a proper motivation to customize

documents on a document server instead of a client system" (*O.A.*, p. 6).

Nevertheless, in an attempt to show that the features missing from *Intro to CSS2* were

known, the instant Office Action cites *Traughber*, taking the position that this secondary

reference discloses "that customizing the requested document can be done on the server side

(Page 2, lines 3-14)(Fig. 2: 32)" (*O.A.*, pg. 3). Applicant respectfully disagrees.

As previously discussed in the June 7, 2005 *Amendment, Traughber* discloses that a web

server may retrieve a template from memory to create a new HTML page, which is then parsed

and processed to <u>embed data</u> therein (pg. 5, lines 17-23). Thus, *Traughber* is directed to the

<u>preparation of a new HTML page</u>, and the insertion of specific data therein, and not the

<u>customization of a web page</u> for a target device.

Further, even if the *Traughber* method could be read as somehow customizing an HTML

page for a particular target device (which Applicant does not concede), such an overly broad

interpretation <u>still</u> would fail to teach or suggest the <u>recited</u> features, as *Traughber* is simply

silent on the application of style sheets to a DOM on a server (or system) side. In fact,

Traughber is completely silent regarding any use of <u>any style sheet</u>. Thus, Applicant still

maintains that *Traughber* fails to correct the conceded deficiencies of *Intro to CSS2*.

In response to the above (in the instant *Office Action*), the Examiner: (1) concedes that

Traughber fails to teach or suggest any particular use of style sheets (*O.A.*, pg. 6); (2) alleges that

Traughber is not being relied upon to show the use of style sheets (*O.A.*, pg. 6); and (3) alleges

that *Traughber* "and what was notoriously well known in the art teach server side document

processing providing the benefit of decreased processing load on the client" (*O.A.*, p. 7).

Regarding argument (1), Applicant agrees, and respectfully submits that <u>this conceded</u>

<u>failure means that there is no teaching or suggestion in either reference to apply style sheets to a</u>

<u>DOM at the server side</u>, as recited in the independent claims. Rather, the only teaching or

suggestion in either reference (in *Intro to* CSS2) regarding the use of style sheets specifies their

use at the <u>client side</u>.

Regarding argument (2), Applicant recognizes that the Examiner is not relying on

Traughber to disclose the use of style sheets. However, Applicant respectfully submits that this

is precisely the problem with the current rejection. Specifically, Applicant is arguing that *Intro to CSS2* discloses the client-side use of style sheets, and *Traughber* offers no teaching or suggestion that would lead one of skill to modify the *Intro to CSS2* system to use style sheets on the server side. *Traughber* merely discloses the creation of a web page, and its related processing, on a server.

Regarding argument (3), Applicant respectfully submits that it is not relevant to the instant Application whether or not *Traughber* broadly discloses server side document processing. What is relevant to the instant rejection is that *Traughber* fails to teach or suggest the use of style sheets on the server side, as recited in the independent claims.

Thus, in view of the above, Applicant maintains that the disclosure of *Traughber* would not have led one of skill to modify the specific processing disclosed in *Intro to CSS2*. Accordingly, Applicant respectfully submits that independent claims 1, 11 and 21 are patentable over the applied references. Further, Applicant respectfully submits that rejected dependent claims 2-10, 12-20 and 22-30 are allowable, *at least* by virtue of their dependency.

Thus, Applicant respectfully requests that the Examiner withdraw this rejection.

Conclusion

In view of the foregoing, it is respectfully submitted that claims 1-30 are allowable. Thus, it is respectfully submitted that the application now is in condition for allowance with all of the claims 1-30.
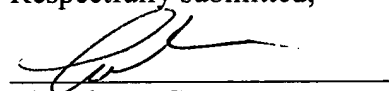
Response Under 37 C.F.R. § 1.111
U.S. Appln. No.: 09/512,560

Attorney Docket # A8643 /
ST9-99-153

If any points remain in issue which the Examiner feels may be best resolved through a

personal or telephone interview, the Examiner is kindly requested to contact the undersigned at

the telephone number listed below.

Please charge any fees which may be required to maintain the pendency of this

application, except for the Issue Fee, to our Deposit Account No. 19-4880.

Respectfully submitted,

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